

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 971 - HB 1079

April 15, 2019

SUMMARY OF ORIGINAL BILL: Establishes that any document, petition, or paper filed pursuant to Tennessee Code Annotated, Title 2, Chapter 1, regarding elections, must be examined by the appropriate election official prior to such filing being accepted to ensure all information required is provided and that any deadlines have been met. Establishes, that if the official accepts any such filing, it is presumed that all requirements have been met, and that the filing is timely.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (006813, 007448, 008296): Amendment 006813 deletes all language after the enacting clause.

Establishes conditions which must be met regarding voter registration drives. Any violation of such conditions is a Class A misdemeanor offense.

Authorizes the State Election Commission to impose civil penalties pursuant to a voter registration drive which files 100 or more deficient voter registrations, which is defined as any application lacking required information to process the voter registration application, except for the voter's social security number. Any fee revenue collected pursuant to civil penalties issued must be deposited into the general fund of the county or counties in which the violation occurred.

Requires poll watchers in this state to also be residents of this state.

Disallows certain punchcard ballots. Prohibits write-in votes from being counted for any statewide office.

Prohibits any agent of a voting systems vendor or any person acting on behalf of a voting systems vendor from offering or attempting to offer anything of value to a state or county election commission member, the Secretary of State, the coordinator of elections, administrator of elections, an employee of the state or county election commission, or an employee of the Secretary of State, or to an immediate family member. Prohibits such election officials from accepting any such things of value. Establishes additional payments and transactions that are prohibited between any voting systems vendor and election officials.

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Establishes requirements for any person or organization establishing voter registration websites on public communication regarding voter registration. Requires that any such communication include a disclaimer that such communication is not made in conjunction with or authorized by the Secretary of State. Any violation of these requirements is a Class A misdemeanor offense. Stipulates that such requirements do not apply to a county election commission website.

Amendment 007448 adds language to Section 1 and Section 2 of amendment 006813 which stipulates that such conditions established in such Sections, regarding voter registration drives and deficient voter registration applications, respectively, do not apply to individuals who are not paid to conduct a voter registration drive or to organizations that use only unpaid volunteers to conduct a voter registration drive.

Amendment 008296 adds language to the bill as amended by amendment 006813 which removes the Secretary of State as the appointor of the State Coordinator of Elections and instead, requires the judges of the State Supreme Court to appoint such title.

An effective date of October 1, 2019.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information provided by the Coordinator of Elections, this legislation is estimated to have no significant impact on state government.
- Any additional civil penalty revenue collected and remitted to local governments throughout the state, as a direct result of this legislation, is estimated to be not significant.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- It is assumed that compensation of the State Coordinator of Elections or any personnel employed by the Coordinator will not be impacted by the proposed legislation.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/jdb